

February 25, 1974

(Begin Belt #4A)

PRESIDENT: Senator Whitney voting aye.

CLERK: Senator Whitney voting aye.

PRESIDENT: I'm going to ask the Legislature to consider the fact that they're voting to advance LB828. Clerk will record.

CLERK: 25 ayes, Mr. President, 1 nay.

PRESIDENT: The bill advances. The next bill is LB829. The Clerk will read the Title.

CLERK: Read LB829. There are committee amendments by Senator Luedtke's Judiciary Committee.

PRESIDENT: Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I move the adoption of the committee amendments to LB829. Mr. President and members of the Legislature, the committee amendments are technical in nature, were brought in by Mr. Donlevy and by the Attorney General. Incidentally, both who favor this bill, the Attorney General, I might add, asked the Judiciary Committee to introduce this bill and urge it be introduced at our citizen's conference on corrections. It's the citation in lieu of an arrest plan which is being adopted in many, many states of the union and which the Supreme Court of the State of Nebraska has already by rule adopted for all traffic violations in the State of Nebraska. We are merely applying this to all violations and misdemeanors, traffic statutes, city and village ordinances, to simplify this procedure. But, the... and the amendments merely go to Section 39 6.108 where the reference has to be clarified in regard to the in lieu, the citation of lieu of arrest plan.

PRESIDENT: Any discussion of the committee amendments? Take a voice vote. Those in favor of the committee amendments, vote aye. Those opposed, say no. Committee amendments have been adopted.

CLERK: No further amendments.

SENATOR LUEDTKE: Mr. President, I move that LB829 as amended be advanced to E & R for Review. There was no opposition. I just might to make you feel better about this particular bill and there was no opposition to this bill. It was strongly supported in the committee and as I mentioned in explaining the amendment, the Attorney General asked for this amendment, asked for this type of legislation. This type of legislation was attempted to be introduced a couple of years ago. The Judiciary Committee has had it under study along with the general topic of bail reform and it is something that will ease very much the manner in which arrests are handled by way of traffic and misdemeanor offenses in the State of Nebraska. It does one other thing which I think is extremely important. It does say that if an individual fails to sign the citation in lieu of arrest which is simply--you are given a ticket. You're told you're going to appear in court. It is not necessary any longer to take that individual, book him, fingerprint him, take him into jail. He is given a ticket, he's told to appear and if he doesn't appear of course, there's two ways you can get after him. First of all, he is in violation of the law by the provision of this act which if he will not either sign the ticket, he is under arrest and can be taken in immediately. And,